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FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 2271 OF 2005
WITH
CRIMINAL APPEAL NO. 364 OF 2005.

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Mr. Rahul S. Kate for the appellant.

Mr. D.R. More, A.P.P. for the respondent-State.

CORAM: S.S. PARKAR &
ANOOP V. MOHTA, JJ.

DATED: 26TH AUGUST, 2005.

P.C.:

. Heard.

2. There is evidence of eye witnesses against this appellant who was original accused No.1. This applicant had assaulted the deceased with a knife on the chest which resulted in the death. There were four eye witnesses, out of whom three were injured. The wife of the deceased, who was an eye witness has been believed by the Trial Court. Her evidence is corroborated by the medical evidence. There is recovery of blood stained weapon at the instance of the applicant and his

blood stained clothes were also attached. Hence there is no case for grant of bail. However, since the applicant is in custody from the time of offence committed in the year 1998, the hearing of the Appeal can be expedited.

3. In the result, the application is rejected. However, the hearing of the Appeal is expedited and liberty is given to the applicant to apply for fixing the date of hearing after the Appeal Paper Book is ready.

[S.S. PARKAR, J.]

[ANOOP V. MOHTA, J.]